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UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

ORDER

RICKIE L. HILL,

Plaintiff,

v.

C. ROWLEY, *et al.*,

Defendants.

Case No. 3:15-cv-00038-RCJ-VPC

**DEFENDANT'S MOTION FOR
ENLARGEMENT OF TIME TO FILE
DISPOSITIVE MOTION**

Defendant Christian Rowley, by and through counsel, Adam Paul Laxalt, Attorney General of the State of Nevada, and Erin L. Albright, Deputy Attorney General, hereby move for an enlargement of time to file his dispositive motion.

This Motion is based on the following Memorandum of Points and Authorities and the papers and pleadings on file herein.

MEMORANDUM OF POINTS AND AUTHORITIES

I. NATURE OF MOTION

Defendant hereby moves for an enlargement of time to file his dispositive motion to December 21, 2018.

II. BRIEF STATEMENT OF THE CASE

This is a prison civil rights action brought by Plaintiff, Rickie L. Hill (Hill), asserting a claim for relief under 42 U.S.C. § 1983, and the Fourteenth Amendment to the U.S. Constitution. (ECF No. 4 at 7). Defendants filed a Motion for Summary Judgment on May 1, 2017. (ECF No. 24). This motion was

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1 granted as to Hill's equal protection claim and denied as to Hill's sexual harassment claim. (ECF No. 53 at
2 1). This initial motion for summary judgment did not address qualified immunity.

3 The dispositive motion deadline in this matter is November 26, 2018.

4 **III. LEGAL AUTHORITY**

5 Pursuant to Fed. R. Civ. P. 6(b)(1)(A), the court may, for good cause, extend the time in which
6 an act must be done if a request is made before the original time or its extension expires. The proper
7 procedure, when additional time for any purpose is needed, is to present the request for extension of
8 time before the expiration of the time for the brief to be filed. Extensions of time may always be asked
9 for, and usually are granted on a showing of good cause if timely made under subdivision (b)(1) of the
10 Rule.

11 **IV. DISCUSSION**

12 Here, the time to file dispositive motions in this matter has not expired. Defendant submit good
13 cause exists to enlarge the time for filing dispositive motions to December 21, 2018. The undersigned will
14 be out of the office from November 16, 2018 through November 26, 2018. Additionally, the undersigned
15 has a large caseload with pending deadlines, oral arguments, and a settlement conference scheduled from
16 now until December 21, 2018 that will make complying with the November 26, 2018 deadline nearly
17 impossible. Therefore, Defendant asserts good cause exist to enlarge the deadline for Defendant to file his
18 dispositive motion.


19 **V. CONCLUSION**

20 Based on the foregoing, Defendant respectfully requests this Court enlarge the time to file his
21 dispositive motion to December 21, 2018.

22 DATED this 13th day of November, 2018.

23 ADAM PAUL LAXALT
24 Attorney General

25 By:


26 ERIN L. ALBRIGHT
27 Deputy Attorney General
28 State of Nevada
Bureau of Litigation
Public Safety Division

25 **IT IS SO ORDERED**

26 **U.S. MAGISTRATE JUDGE**

27 DATED: 11/15/2018
28

Attorneys for Defendant